

REMARKS

The Office Action of March 29, 2006 has been reviewed and the comments therein were carefully considered. Claims 1-36 are currently pending. Claims 1-36 stand rejected.

Applicant acknowledges acceptance of the drawings.

Claim Rejections Under 35 U.S.C. §103

Claims 1-36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2001/0039529 (Hoffman).

Regarding claim 1, Applicant is amending the claim to include the features of “transmitting, to a plurality of suppliers, a request for product cost information for a product to be provided by the plurality of suppliers,” “receiving product cost information from the plurality of suppliers, **the product cost information containing a plurality of cost components for providing the product,**” “electronically storing the product cost information from the plurality of suppliers,” “using the received sales price and the product cost information, calculating a profit margin for sale of the product if supplied by each of the plurality of suppliers,” “displaying the calculated profit margins for sale of the product if supplied by each of the plurality of suppliers,” “**selecting one component of the plurality of cost components,**” “**comparing a first value of said one component from a first supplier with a second value of the said one component of a second supplier,**” and “**negotiating a purchase cost for the product with the first supplier based on the first value and the calculated profit margin.**” (Emphasis added.) The amendment is supported by the specification as originally filed, e.g., paragraphs 56, 70-71, and 75. For example, the specification discloses (Paragraph 56. Emphasis added.):

In addition, the cost sheet 900 has a number of fields 906 that relate to various costs for manufacturing and delivering the product to the retailer. **These costs may include costs for different manufacturing steps or materials employed to make the product, such as yarn costs, packaging costs, labor costs, and margin.** These fields may also include various delivery and distribution costs, such as freight and insurance costs, an import duty, commission costs, etc. The buyer may use the cost information provided in these fields, e.g., to negotiate cost with the suppliers. For example, a buyer may note that one supplier has quoted a higher packaging cost than other suppliers. A buyer may then use this discrepancy to negotiation a lower total cost from that supplier. Further, the fields 906 will typically also include a field corresponding to the final cost of the product to the retailer. As seen in FIG. 9, the cost fields

906 may describe the various costs associated with the product in more than one currency, such as the British Pound Sterling and the U.S. Dollar.

Hoffman does disclose (Paragraph 4.):

FIG. 3 illustrates an example of a Request for Quotation (RFQ) flow chart where a supplier supplies a quote to a buyer. A seller sends a quote to a buyer for their review 200. A buyer receives a notification that a seller has submitted a quotation to the buyer 205. In a preferred embodiment, the buyer is notified by email or a wireless means, facsimile, or pager. The buyer checks their inbox and retrieves the Quote 210. In a preferred embodiment, the buyer can download the quote to an internal database, retrieve through email or print. The buyer can retrieve the terms of the Quote and compare them through the database of the present invention to other quotes that the buyer has received 215. The buyer can respond to the sellers in a number of ways 220. The buyer can reject the seller's quote 225. The buyer can accept the terms of the seller 230. The buyer can negotiate with any one of the sellers 235. In a preferred embodiment, the buyer can negotiate with the seller through a secured chat room. The terms are then agreed upon between a buyer and seller 240. The quote is then copied into a purchase order 245. In a preferred embodiment, once a quote is accepted all of the other sellers are notified that a quote has been accepted. In a preferred embodiment, the system of the present invention can provide an anonymous listing of previous sales so that the buyer and seller can compare these to previous quotes. The system of the present invention can provide a searchable buyer/seller quote history 250.

Hoffman merely discloses a seller providing a quote to the buyer in response to a request. However, Hoffman fails to even suggest a quote having a plurality of cost components for a product. As disclosed in Hoffman, a buyer merely receives a quote from a seller and is not cognizant of how the seller determined the quote in order to negotiate a purchase cost for the product.

Applicant is similarly amending independent claim 9 to include the features of “defining a plurality of products to be provided by a plurality of suppliers,” “obtaining, from the plurality of suppliers, cost information for purchase of each of the products from the plurality of suppliers, the cost information containing a plurality of cost components for providing said each of the products,” “determining a profit margin for sales of each of the products if supplied by the plurality of suppliers,” “selecting one component of the plurality of cost components for one of the plurality of products,” “comparing a first value of said one component from a first supplier with a second value of the said one component of a second supplier for said one of the plurality of products,” “negotiating, for said one of the plurality of products, a purchase cost with the first supplier based on the first value and the determined profit margins.” Applicant is also amending

independent claim 15 to include the features of “defining a plurality of products for purchase, such that each product is associated with a plurality of suppliers that may provide the product,” “obtaining cost information for purchase of each of the products from the plurality of suppliers associated with product, the cost information containing a plurality of cost components for providing said each of the products,” “electronically storing the cost information for each of the products obtained from the plurality of suppliers associated with the product,” “selecting one component of the plurality of cost components for one of the plurality of products,” “comparing a first value of said one component from a first supplier with a second value of the said one component of a second supplier for said one of the plurality of products,” “negotiating, for said one of the plurality of products, a purchase cost with the first supplier based on the first value.” Applicant is similarly amending independent claim 23 to include the features of “a cost sheet preparation component for preparing and transmitting, to a plurality of suppliers, a request for product cost information for a product to be provided by the plurality of suppliers,” “a cost information import component that receives and electronically stores product cost information provided by the plurality of suppliers in a database, the product cost information containing a plurality of cost parts for providing the product,” “a view cost sheets component that displays product cost information provided by one of the plurality of suppliers,” “an analysis component that selects one part of the plurality of cost parts, compares a first value of said one part from a first supplier with a second value of the said one part from a second supplier, and negotiates a purchase cost for the product with the first supplier based on the first value.” Applicant is also amending independent claim 29 to include the features of “transmitting, to a plurality of suppliers, a request for product cost information for a product to be provided by the plurality of suppliers,” “receiving product cost information from the plurality of suppliers, the product cost information containing a plurality of cost components for providing the product,” “electronically storing the product cost information from the plurality of suppliers,” “using the received sales price and the product cost information, calculating a profit margin for sale of the product if supplied by each of the plurality of suppliers,” “displaying the calculated profit margins for sale of the product if supplied by each of the plurality of suppliers,” “selecting one component of the plurality of cost components,” “comparing a first value of said one component from a first supplier with a second value of the said one component of a second supplier for the product,” and “negotiating a purchase cost for the product with the first supplier based on the first value

and the calculated profit margin.”

Applicant is also amending dependent claims 2-7, 17, 19-20, 22, 24-28, and 30-36 to include “the plurality of suppliers” because a proper antecedent basis is established in the corresponding independent claims. Claims 2-8, 10-14, 16-22, 24-28, and 30-36 ultimately depend from independent claims 1, 9, 15, 23, and 29 and are patentable for the at least the above reasons. Thus, Applicant requests reconsideration of claims 1-36.

Applicants therefore respectfully request reconsideration of the pending claims and a finding of their allowability. A notice to this effect is respectfully requested. Please feel free to contact the undersigned should any questions arise with respect to this case that may be addressed by telephone.

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Respectfully submitted,

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